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Attorney for Defendants Caceis Bank Luxembourg and Caceis Bank

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION
CORPORATION,**

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

v.

SIPA Liquidation

**BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,**

(Substantively Consolidated)

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

**IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC, and Bernard L. Madoff,**

Adv. Pro. No. 11-02758 (SMB)

Plaintiff,

v.

**CACEIS BANK LUXEMBOURG and
CACEIS BANK,**

Defendants.

**DEFENDANTS CACEIS BANK LUXEMBOURG'S AND
CACEIS BANK'S SUPPLEMENTAL DESIGNATION OF ITEMS
TO BE INCLUDED IN THE RECORD ON APPEAL**

Defendants Caceis Bank Luxembourg, now known as Caceis Bank Luxembourg Branch, and Caceis Bank (collectively “Caceis”), by their undersigned counsel, respectfully submit pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure and Rule 8009-1 of the Local Bankruptcy Rules for the Southern District of New York, this supplemental designation of additional items to be included in the record on appeal with respect to the Trustee’s appeal in the above-captioned adversary proceeding (the “Adversary Proceeding”) of the Court’s Final Order Granting Motion to Dismiss Complaint before the United States Court of Appeals for the Second Circuit. This supplemental designation is an addendum to Caceis’s Designation of Items to be Included in the Record on Appeal, filed in this Adversary Proceeding on April 11, 2017 (ECF No. 120). Caceis reserves the right to supplement the record on appeal or cross-appeal and to adopt the designation of any items designated or counterdesignated by any other appellant, cross-appellant, appellee or cross-appellee to any of the appeals or cross-appeals from the Final Judgment.

I. Designation of Additional Items to be Included in the Record on Appeal

Pursuant to Federal Rule of Bankruptcy Procedure 8009(a)(2), Caceis hereby further designates for inclusion in the record on appeal the following item:

Designation No. 103: A letter on behalf of the Subsequent Transferee Defendants regarding extraterritoriality briefing supplemental authority in Sec. Investor Prot. Corp. v. Bernard L. Madoff Inv. Sec. LLC (In re BLMIS), Adv. Pro. No. 08-01789 (SMB) (Bankr. S.D.N.Y) (ECF No. 13069).

Dated: April 13, 2017
New York, New York

By: /s/ Daniel Schimmel
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